

REMARKS

Claims 1, 11 and 17 are amended to recite the term “colloidal silica.” Support for this amendment may be found, at least, in the original claims and on page 7, paragraph 21, of the specification. Claims 1-7, 11-14 and 17-20 are amended to delete the language “by volume.” Claims 8, 9, 15, 21 and 22 are canceled. Claims 1-7, 10-14 and 16-20 are pending herein.

Claims 1-22 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1-7, 11-14 and 17-20 are faulted as being indefinite regarding the use of the language “median particle size, by volume” and “a span value, by volume” because it is unclear as to what the volume is (in terms of amount). The term “by volume” has been deleted from these claims, and thus, withdrawal of the rejection is respectfully requested.

Claims 1-22 stand rejected under 35 U.S.C. §102(b) or 103(a) over WO 01/98201 or U.S. Patent No. 6,527,817 (Fang et al.). This rejection is respectfully traversed.

Fang et al. describe a polishing composition that includes a mixture of two different abrasives, fumed oxide and another abrasive. The polishing composition possesses a particle size distribution of the dispersion that is defined in terms of number average. The definition of a particle size distribution by number can be significantly different than the definition of a particle size distribution by volume. For example, the particle distribution span by number may be significantly different than the particle distribution span value by volume since measurement by number does not take into account the volume of the particle.

The above-identified Fang et al. documents do not disclose the use of a single abrasive in a polishing composition. In addition, these references do no disclose a single abrasive having the specifications recited in the independent claims. Moreover, Fang et al. only teaches a polishing dispersion with a particle size distribution defined by number. This will not necessarily result in the same particle size distribution defined by volume.

Accordingly, it is submitted that the subject matter of claims 1-7, 10-14 and 17-20 are not inherently disclosed by the above-identified references, and Applicants respectfully request withdrawal of the §102 rejection.

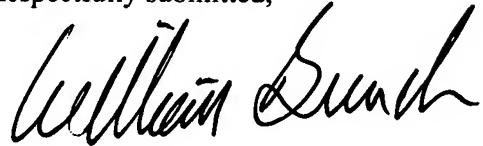
Moreover, the subject claims would not have been obvious over Fang et al., since Fang et al. teach against using a polishing composition without fumed silica in combination with another abrasive. Moreover, Applicants submit the particle size distribution defined by number may be significantly different than that defined by volume, especially with regard to span value and large particle numbers or volumes. There is simply no reference to or description of particle size distribution by volume, and thus, no suggestion in Fang et al. of the polishing compositions recited in claims 1-7, 10-14 and 17-20.

Therefore, Applicants submit that no *prima facie* case of obviousness has been set forth in the Office Action.

Accordingly, it is submitted that the subject matter of claims 1-7, 10-14 and 17-20 are not rendered obvious by the above-mentioned references. Applicants respectfully request withdrawal of this rejection.

In view of the above remarks, Applicants earnestly solicit the withdrawal of the rejections set forth in the February 21, 2007, Office Action and notification to that effect in the form of a Notice of Allowability.

Respectfully submitted,



William D. Bunch
Attorney for Applicant
Reg. No. 35,027

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W. R. Grace & Co.-Conn.
7500 Grace Drive
Columbia, Maryland 21044
(410) 531-4333